IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 1025 OF 2005
IN
SUIT NO. 704 OF 2005

Mr. Jagdish Vamanrao Rane ... PLAINTIFF

V/s.

Mr. Nitin P. Salunkhe & Anr. ... DEFENDANTS

Mr. P.P. Chavan i/b. V.M. Bhate for the plaintiff. None for the defendants.

CORAM : ANOOP V. MOHTA, J.
DATED : 21st April, 2006

P.C.

1. The Notice of Motion has been taken out by the plaintiff and claimed various interim reliefs in respect of the property. This Notice of Motion is dated 1st April, 2005. There is no ad-interim order in operation since then. However, considering controversy involved relating to the property in question in the fitness of things, I am inclined to grant prayer clause (c) pending the hearing and final disposal of the suit.

Clause (c) :-

Pending the hearing and final disposal of the Suit, the Defendants by themselves, their servants, agents and representatives be restrained by an order and injunction of this Hon'ble Court in any way dealing with, disposing off, transferring, alienating, encumbering or parting with possession of or creating any third party rights or license or tenancy in

respect of the said Flat being Flat No. 704, B-Wing, Rajadhiraj Building (Building No. 7), Shree Sadguru Nagar, Devipada, Borivali (East), Mumbai 400 066, unless the defendants have paid to the Plaintiff, the Plaintiffs claim in the suit;

2. The Notice of Motion is disposed of accordingly.

[ANOOP V. MOHTA, J.]